Distr.
LIMITED

ECA/MULPOC/Lusaka/PTA/TC/1/5/Rev1(a)
27 October 1982

Original: ENGLISH

ECONOMIC COMMISSION FOR AFRICA

Interim Secretariat of the Preferential
Trade Area for Eastern and Southern
African States

Meeting of Clearing and Payments Committee
of the Preferential Trade Area for Eastern
and Southern African States

25 October - 5 November 1982

Lusaka, Zambia

RULES OF PROCEDURE OF THE CLEARING AND PAYMENTS COMMITTEE OF THE PREFERENTIAL TRADE AREA FOR EASTERN AND SOUTHERN AFRICAN STATES

THE TREATY FOR THE ESTABLISHMENT OF THE PREFERENTIAL TRADE AREA FOR EASTERN AND SOUTHERN AFRICAN STATES

IN EXERCISE of the powers conferred on the Clearing and payments Committee of the Preferential Trade Area for Eastern and Southern African States by paragraph 7 of Article 11 of the Treaty for the establishment of the Preferential Trade Area for Eastern and Southern African States, the following Rules are hereby made:

RULES OF PROCEDURE OF THE CLEARING AND PAYMENTS COMMITTEE OF THE PREFERENTIAL TRADE ARE FOR EASTERN AND SOUTHERN AFRICAN STATES

Title

Rule 1. These Rules may be cited as the Rules of Procedure of the Clearing and Payments Committee of the Preferential Trade Area for Eastern and Southern African States.

Definitions

Rule 2. In these Rules the expression:
"Clearing House" means the Clearing House established by the Protocol on Clearing and Payments annexed to the Treaty;

"Committee" means the Clearing and Payment Committee established by paragraph 1 of Article 11 of the Treaty;

"Council" means the Council of Ministers established by Article 7 of the Treaty;

"Executive Secretary" means the Executive Secretary of the Clearing House;

"Member State" means a Member State of the Preferential Trade Area;

"Preferential Trade Area" means the Preferential Trade Area for Eastern and Southern African States established by Article 2 of the Treaty;

"Secretary-General" means the Secretary-General of the Preferential Trade Area provided by Article 9 of the Treaty;

"Treaty" means the Treaty for the establishment of the Preferential Trade Area for Eastern and Southern African States and shall include all Protocols thereto.

Composition of Meeting

Rule 3. A meeting of the Committee shall consist of the Governors of the Monetary Authorities of the Member States as provided for in Article 1 of the Protocol on Clearing and Payments Arrangements annexed to the Treaty.

Rule 4. Members of the Committee may be accompanied to meetings of the Committee by advisers.

Officers of the Committee

Rule 5. The Committee shall elect from among its members, its Chairman, Vice Chairman and Rapporteur who shall each hold office for a term of one year.

Rule 6. If the person holding the office of Chairman is absent from a meeting of the Committee the Vice Chairman shall preside at that meeeting and in the absence of the Vice-Chairman or the Rapporteur, such member of the Committee as the members present may elect for that purpose.

Rule 7. If the term of office of any member of the Committee as Chairman, Vice Chairman or Rapporteur is due to expire at any time when a meeting of the Committee is being held, that member shall continue in office until the conclusion of the meeting. For the purpose of this Rule a meeting of the Committee shall be concluded when it is adjourned sine-die or is adjourned for a period exceeding seven days.

Rule 8. The Chairman shall open and close the meetings of the Committee, direct discussions, give speakers the floor in the order in which it is requested, submit matters under discussion for decision and announce the decision and rule on questions of procedure in accordance with these Rules.

Place and time of meetings

Rule 9. Subject to any directives which may be given by the Council, the Committee shall meet as often as necessary for the proper discharge of its functions.

Rule 10. Meetings of the Committee shall be held at the Head Office of the Clearing House, unless convened elsewhere in pursuance of the provisions of Rule 11 of these Rules.

Rule 11. Where at the request of a Member State, the Committee shall decide to hold a meeting in a place other than the Head Office of the Clearing House at the cost of the Clearing House, that Member State shall be responsible for the payment of such portion of such amount in excess of what it would have cost the Clearing House had the meeting been at its Head Office, as may be agreed between that Member State and the Clearing House.

Rule 12. The Committee may at a meeting decid- the date of its next meeting:

Provided that in cases where it is desirable that a meeting of the Committee should be held prior to the date set down for its next meeting, a meeting of the Committee may be held after consultation between the Chairman and the members of the Committee.

Rule 13. All meetings of the Committee shall be convened by the Executive Secretary on the direction of the Chairman after three months' notice of a meeting has been given or such period as the Committee may determine.

Voting and quorum

Rule 14. Every member of the Committee shall have only one vote.

Rule 15. Unless otherwise provided for in the Treaty, the decisions of the Committee shall be taken by a simple majority of the members of the Committee present and voting.

Rule 16. The quorum for a meeting of the Committee shall be a simple majority of the members of the Committee.

Secretariat of the meetings of the Committee

Rule 17. The Secretariat services of the meetings of the Committee shall be provided by the office of the Executive Secretary; he shall cause minutes of the meetings of the Committee to be kept and shall as soon as possible, transmit copies thereof to the members of the Committee and to the Member States.

Rule 18. The Secretary shall, in consultation with the Chairman of the Committee, prepare the provisional agenda of the meetings of the Committee and shall ensure their receipt by the members of the Committee and the Member States at least three months before the meetings to which they relate.

Rule 19. The Executive Secretary, the Secretary General or their representatives shall participate in the meetings of the Committee but without the right to vote.

Dispatch of business at meetings of the Committee

Rule 20. Proposals or draft resolutions for consideration at a meeting of the Committee shall be submitted in writing and circulated by the Executive Secretary in advance of the meeting to the members of the Committee and to the Member States:

> Provided, however, that the Committee shall, if it deems it expedient or desirable, consider at a meeting a proposal or draft resolution in respect of which no text has been circulated in advance of a meeting.

Rule 21. A proposal or draft resolution may be withdrawn by the person by whom it is sponsored.

Rule 22. During the consideration of any matter at a meeting of the Committee, any member of the Committee may raise a point of order and the Chairman shall make his ruling immediately upon the point of order raised. An appeal from the ruling of the Chairman shall be decided by the meeting of the Committee.

Rule 23. During the consideration of any matter at a meeting of the Comittee, the Chairman may read out a list of speakers and with the consent of the meeting, declare the list closed. The Chairman may, however, grant any member of the Committee the right of reply if a speech made after the list of speakers is closed, justifies it.

Rule 24. When a matter has been adequately considered any member of the Committee may move that the consideration of the matter be closed whereupon the meeting of the Committee shall immediately take a decision on the motion by vote.

Rule 25. During the consideration of any matter, a member of the Committee may move that the consideration of the matter be postponed. One member of the Committee may speak in support of the proposal and another against it whereupon the meeting of the Committee shall immediately take a decision on the motion.

Rule 26. During the consideration of any matter at a meeting of the Committee, any member of the Committee may move that the meeting be suspended or adjourned whereupon the meeting of the Committee shall immediately take a decision on the motion.

Rule 27. The following motions shall take precedence in the order in which they are set out hereunder over any other proposals or motions that may be made or moved at a meeting of the Committee:

(a) to suspend the meeting;

(b) to adjourn the meeting;

(c) to postpone consideration of a matter; and

(d) to end the consideration of a matter.

Dispatch of business at times when the Committee is not meeting

Rule 28. The Committee may make provisions for the dispatch of business at times when it is not meeting.

Rule 29. The provisions that the Committee may make under Rule 28 of these Rules for the dispatch of business at times when the Committee is not meeting may, if so determines, include arrangements under which the exercise of any

function of the Committee under the Treaty which may be properly delegated, is delegated, subject to such conditions as the Committee may specify, to the Chairman or member of the Committee or to the Executive Secretary or the Secretary-General.

Transition and Miscellaneous

Rule 30. Until the Head Office of the Clearing House is established or the Executive Secretary of the Clearing House appointed, the meeting of the Committee that should be held in pursuance of Rule 10 of these Rules at the Head Office of the Clearing House shall be held at the headquarters of the Preferential Trade Area and the Preferential Trade Area shall have all the functions related thereto, and the Secretary-General shall perform the functions conferred on the Executive Secretary under these Rules.

Rule 31. If there is any doubt as to the procedure to be followed in any particular case, or if no procedure is prescribed by or under the Treaty or these Rules, the procedure to be followed may be determined by the Council.

Rule 32. These Rules may be amended at a meeting of the Committee.